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**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID B. CORNEAL and : NO. 1:CV-00-1192  
SANDRA Y. CORNEAL, :  
Plaintiffs : JURY TRIAL DEMANDED  
v. :  
JACKSON TOWNSHIP, *et al.*, :  
Defendants :  
RAMBO, J.

**FILED**  
HARRISBURG, PA

JUN 20 2002

MARY E. DIAMBREA, CLERK  
Per MB

**MOTION FOR LEAVE TO FILE COMBINED BRIEF IN SUPPORT OF  
SUMMARY JUDGMENT AND BRIEF IN OPPOSITION TO  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND MOTION  
TO ENLARGE PAGINATION**

Pursuant to Middle District Local Rule 7.8(b)(3), Plaintiffs David B. Corneal and Sandra Y. Corneal hereby submit this Motion for Leave to File Combined Brief in Support of Summary Judgment and Brief in Opposition to Defendants' Motion for Summary Judgment, and Motion to Enlarge Pagination of the Brief in Support of Summary Judgment, and in support thereof state as follows:

1. This matter is an action brought under 42 U.S.C. §1983 by the Plaintiffs against Jackson Township and various officers of the Township, alleging deprivation of federal constitutional rights under color of state law.
2. Plaintiffs have named seven different defendants in this matter, each of which played a unique role in the deprivation of the Corneals' civil rights.

3. This matter is now ripe for summary judgment.
4. Defendants filed a Motion for Summary Judgment on or about May 23, 2002, and filed a Memorandum of Law in Support of said Motion for Summary Judgment on or about June 6, 2002.
5. Plaintiffs also intend to file a cross Motion for Summary Judgment.
6. Plaintiffs' planned Motion for Summary Judgment addresses many of the same factual and legal matters that are presented by Defendants' Motion for Summary Judgment, and combined briefing of the cross-motions for summary judgment will conserve substantial resources of both the Court and of counsel.
7. This court's Case Management Order in the above-captioned matter provides for briefs in support of or in opposition to summary judgment motions of up to 25 pages in length without leave of court.
8. Given the complex and extensive factual background of this matter, Plaintiffs believe that they need in excess of 25 pages to provide a complete and accurate statement of the facts and circumstances and thorough analysis of the applicable law.
9. Plaintiffs anticipate that their Combined Brief in Support of Summary Judgment and Brief in Opposition to Defendants' Motion for Summary Judgment will not exceed 50 pages.

10. Counsel for the defendants, Anthony R. Sherr, Esq., advised the undersigned that he concurs in the instant motion.

11. Inasmuch as defendants served their Memorandum of Law in Support of Summary Judgment on plaintiffs via first class mail on June 6, 2002, plaintiffs brief in opposition to summary judgment is due on Monday, June 24, 2002; accordingly, this request is made in a timely manner.

**WHEREFORE**, Plaintiffs respectfully request that this court issue an order granting Plaintiffs' Motion for Leave to File Combined Brief in Support of Summary Judgment and Brief in Opposition to Defendants' Motion for Summary Judgment, and Motion to Enlarge Pagination not to exceed 50 pages.

Respectfully submitted,

ECKERT SEAMANS CHERIN & MELLOTT, LLC



Bridget E. Montgomery, Esq.  
Supreme Ct. I.D. No. 56105  
Adam M. Shienvold, Esq.  
Supreme Ct. I.D. No. 81941

213 Market Street  
8<sup>th</sup> Floor  
Harrisburg, PA 17101  
717-237-6000


Date: 6/19/02

Attorneys for David B. Corneal and Sandra Y. Corneal

**CERTIFICATE OF SERVICE**

I, Bridget E. Montgomery, Esquire, hereby certify that I am this day serving a copy of the foregoing document via First Class U.S. Mail, which service satisfies the requirements of the Federal Rules of Civil Procedure and Middle District Local Rules of Court, addressed as follows:

Anthony R. Sherr, Esquire  
Mayers, Mennies & Sherr, LLP  
3031 Walton Road, Building A  
Suite 330, P.A. Box 1547  
Blue Bell, PA 19422-0440

  
Bridget E. Montgomery, Esquire

Date: 6/19/02

Attorney for Plaintiffs,  
David B. and Sandra Y. Corneal

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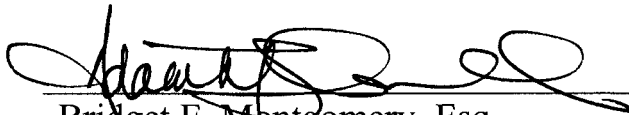
**CERTIFICATE OF CONCURRENCE**

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I hereby certify that I contacted Lori Miller, Esq., counsel for Defendants, with regard to this Motion and that Ms. Miller indicated that she concurred in the same.

Respectfully submitted,

ECKERT SEAMANS CHERIN & MELLOTT, LLC



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Bridget E. Montgomery, Esq.  
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Corneal

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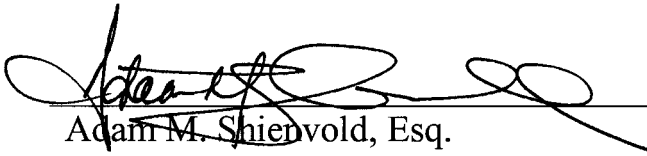
**CERTIFICATE OF CONCURRENCE/NON-CONCURRENCE**

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I hereby certify that I contacted Lori Miller, Esq., counsel for Defendants, with regard to this Motion and that Ms. Miller indicated that she concurred in the Motion for Leave to File Combined Briefs in Support of Summary Judgment and in Opposition to Defendants Motion For Summary Judgment. Ms. Miller did not concur with the Motion to Enlarge Pagination.

Respectfully submitted,

ECKERT SEAMANS CHERIN & MELLOTT, LLC

  
Adam M. Shienvold, Esq.  
Supreme Ct. I.D. No. 81941

Date: 6/19/02

Attorneys for David B. Corneal and Sandra Y.  
Corneal